

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re)	
)	
STEPHANIE ENTELES-DUVAL,)	Case No. 14-22422-RDD
)	Chapter 7
Debtor.)	
)	
SPITZER ENGINEERING LLC,)	
)	
PLAINTIFF,)	
v.)	Adversary P. No. 14-08241-RDD
)	
STEPHANIE ENTELES-DUVAL,)	
)	
DEFENDANT.)	
)	

STIPULATION AND ORDER

WHEREAS, Stephanie Enteles-Duval (the “Debtor”) filed a voluntary petition for relief under chapter 7, title 11 of the United States Code (the “Bankruptcy Code”) on April 4, 2014;

WHEREAS, Mark S. Tulis of Oxman, Tulis, Kirkpatrick, Whyatt & Geiger was appointed as chapter 7 trustee (the “Chapter 7 Trustee”);

WHEREAS, on June 11, 2014, Spitzer Engineering LLC (the “Plaintiff”) filed the *Complaint Objecting to Discharge* [Adv. Pro. Docket No. 1] (the “Complaint”)¹, pursuant to which the Plaintiff objected to the discharge of the Debtor, on the grounds that the Debtor obtained funds from the Plaintiff by embezzlement and/or larceny while in the Plaintiff’s employ;

WHEREAS, the Debtor does not dispute the allegations in the Complaint, including the nondischargeability of the Remaining Debt.

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED, as follows:

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Complaint.

1. The Remaining Debt is nondischargeable pursuant to section 523(a)(4) of the Bankruptcy Code, and the Debtor shall not receive a discharge for any portion of the Funds, including the Remaining Debt.

2. This adversary proceeding is hereby resolved in accordance with this Stipulation and Order.

3. The Court shall retain jurisdiction with respect to any matters, claims, rights, or disputes arising from or related to the implementation of this Stipulation and Order.

ARLENE GORDON-OLIVER, P.C.

By: /s/ Arlene Gordon-Oliver
Arlene Gordon-Oliver
199 Main Street
Suite 203
White Plains, NY 10601
Attorneys for the Debtor

July __, 2014

**MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.**

By: /s/ John H. Bae
Jeffrey A. Moerdler
John H. Bae
Kaitlin R. Walsh
666 Third Avenue
New York, New York 10017
P: (212) 935-3000
Email: jamoerdler@mintz.com
Email: jhbae@mintz.com
Email: krwalsh@mintz.com

Attorneys for Spitzer Engineering, LLC

July __, 2014

STEPHANIE ENTELES-DUVAL

By: /s/ Stephanie Enteles-Duval
Stephanie Enteles-Duval
Debtor

July 9, 2014

SPITZER ENGINEERING, LLC

By: /s/ Bernard Spitzer
Bernard Spitzer
Manager

July __, 2014

OXMAN, TULIS, KIRKPATRICK,

WHYATT & GREIGER

By: /s/ Mark S. Tulis

Mark S. Tulis

120 Bloomingdale Road
White Plains, NY 10605

Chapter 7 Trustee

July 10, 2014

IT IS SO-ORDERED:

July 11, 2014
White Plains, New York

/s/Robert D. Drain

THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE